

**MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK**

**FORMAL SESSION  
February 6, 2008**

The Board of Directors of the Flood Control District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 a.m., February 6, 2008, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Andrew Kunasek, Chairman, District 3; Max W. Wilson, Vice Chairman, District 4; Fulton Brock, District 1; and Mary Rose Wilcox, District 5. Absent: Don Stapley, District 2. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager and Victoria Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

**FCD-1. MINUTES**

Motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (4-0-1) to approve minutes of meeting held on August 8, 2007 and September 5, 2007.

**FCD-2. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (4-0-1) to approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. (ADM1910)

**East Maricopa Floodway (Per Resolution FCD R1999 R016)**

District Parcel No.: M-2148-2, M-2165 – Non-Exclusive Waterline Easement – from The Flood Control District of Maricopa County (Grantor) to The Town of Gilbert (Grantee) – for the sum of \$17,869.00.

**Rittenhouse Road Drain (Per Resolution FCD 1999 R016)**

Assessor's Parcel No.: 304-61-033T (a portion of) & 304-61-00 – Waterline Easement and Agreement - Item No.: RR-10-WLE, RR-11B-WLE – from the Flood Control District of Maricopa County (Grantor), to the Queen Creek Water Company (Grantee) - for the sum of \$11,079.00.

**FCD-3. IGA WITH CITY OF SURPRISE FOR REEMS ROAD CHANNEL AND BASIN PROJECT**

Motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (4-0-1) to approve Amendment No. 1 to Intergovernmental Agreement (IGA) FCD2002A014A to IGA FCD2002A014, for the Reems Road Channel and Basin Project (#470), between the Flood Control District of Maricopa County and the City of Surprise. This amendment deletes the requirement for the District to cost-share in the box culvert at Cactus Road, and instead provides for the District and the City to cost-share for construction, construction management, and utility relocations for the box culvert at Peoria Avenue. (C6903057201)

**FCD-4. IGA WITH ARIZONA DEPARTMENT OF TRANSPORTATION FOR SR303/WHITE TANKS ADMPU HYDROLOGY STUDY**

Motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (4-0-1) to approve Intergovernmental Agreement (IGA) FCD2007A003 between the Flood Control District of Maricopa County (FCDMC) and the Arizona Department of Transportation (STATE) for the cost share,

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planning, analysis and preparation of the SR303/White Tanks ADMPU Hydrology Study. The FCDMC and the STATE will share the study cost (50%/50%) which is estimated at a total cost of \$500,000. (C6908034200)

**FCD-5. SETTLEMENT WITH CITY OF SCOTTSDALE REGARDING REIMBURSEMENT OF RIGHTS-OF-WAY ACQUISITION FUNDS**

Motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (4-0-1) to approve the Settlement Agreement and Full and Final Release document (City of Scottsdale Contract No. 2007-212-COS) between the Flood Control District of Maricopa County and the City of Scottsdale for the purpose of resolving the reimbursement obligation of the City for rights-of-way acquisition funding paid by the District pursuant to IGA FCD 94006 (CS941268) and IGA FCD 96008 (C69970692) (C6908035M00).

The agreement allows the City to make full and final reimbursement to the District in the amount of \$2,156,100 as the City's reimbursement obligation to the District to settle the reimbursement issue associated with the Reata Pass/Beardsley Wash Channel Project, also known as the Desert Greenbelt project. Per the stipulations of the agreement, IGA FCD 94006 (CS941268) and IGA FCD 96008 (C69970692) are hereby terminated and of no further force or effect. This matter was heard in Executive Session on July 23, 2007. (C69970692) (C6908035M00)

**FCD-6. ADJUSTMENTS TO FY 2008-2012 FIVE YEAR CAPITAL IMPROVEMENT PROGRAM**

Motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (4-0-1) to approve the following adjustments to the Flood Control District of Maricopa County (690) FY 2008-2012 five-year Capital Improvement Program (CIP), which result in a net change of \$0:

Increase Flood Control Capital Projects Fund (990) Year 1 (FY 2007-08) project expenditure budgets as follows:

- Project F580 – ACDC ADMP by \$78,000
- Project F620 – Maryvale ADMP by \$36,000

Decrease Flood Control Capital Projects Fund (990) Year 1 (FY 2007-08) project expenditure budgets as follows:

- Project Reserve (FCPR) by \$114,000 (C6908036800) (ADM1900-003)

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Andrew Kunasek, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board